



CITY OF BELLBROOK

FOUNDED 1816

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BELLBROOK CITY COUNCIL AGENDA

October 12, 2015

6:30 pm—Work Session

7:00 pm—Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Meeting Minutes of **September 14, 2015**
5. Mayor's Announcements / Special Guests
 - Doug McLarty-Greene County Park District Commissioner, presenting information on the Park Levy.
6. Public Hearing of Ordinances

Ordinance No. 2015-12 Approving an addendum to the solid waste and recyclable material collection and disposal contract with Rumpke of Ohio, Inc. (Schweller)
7. Resolutions

Resolution No. 2015-FF A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. (Edwards)
8. City Manager's Report
9. Committee Reports
 - A. Service
 - B. Safety
 - C. Finance/Audit
 - D. Community Affairs
10. Old Business

11. New Business

12. Open Discussion

13. Adjourn

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting
September 14, 2015

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Jon Martin
Mrs. Elaine Middlestetter
Mrs. Dona Seger-Lawson
Deputy Mayor Mike Schweller
Mayor Bob Baird

This is a summary of the City Council meeting held on Monday, September 14, 2015. Mayor Baird called the meeting to order at 7:00 pm and the Clerk called the roll.

A motion was made by Mr. Martin to appoint Eileen Minamyler as Interim Clerk of Council. Mrs. Middlestetter seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

After polling members of City Council, as there were no corrections or additions to the **regular meeting minutes of August 17, 2015**, Mayor Baird declared the minutes approved as written.

SPECIAL GUESTS

Bronne Wilson, Beautification Award Committee Chair, presented the 2015 Beautification Awards. Mrs. Wilson presented the awards to this year's winners and each received a beautiful engraved rock. The winners are:

| | |
|----------|---|
| Area A | Dee Welch, 4220 Woodedge Dr. Robert and Linda Guy, 2046 Lakeman Dr. |
| Area B | Mike and Cheryl Stone, 2194 Ivy Crest Dr. Bill and Ann Wharton, 2465 Tennyson |
| Area C | Chris and Kathy Kempton, 4108 N. Linda Dr. Ann Bowers, 1860 N. Bellview Dr. |
| Area D | Margie Heckman, 31 East Maple St. Beth and Kyle Rogers, 1195 Clearcreek Ln. |
| Area E | Damon and Becki Wick, 3857 W Sudbury Ct. Don and Tammi Jones, 3941 Carmela Ct. |
| Business | Third Season Restaurant, 135 Franklin St. |

The Mayor congratulated the winners and thanked them for keeping Bellbrook beautiful.

Representative Rick Perales made an appearance to present a Legislative update to Council. His slide presentation is attached to the minutes.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting
September 14, 2015

INTRODUCTION OF ORDINANCES

Mr. Schweller read **Ordinance No. 2015-12** approving an addendum to the solid waste and recyclable material collection and disposal contract with Rumpke of Ohio, Inc. This addendum extends the contract for one additional year at the price established by the original bid.

Mr. Schweller made a motion to introduce Ordinance No. 2015-12. Mrs. Seger-Lawson seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mrs. Seger-Lawson, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Middlestetter, yes; Mayor Baird, yes. The motion was carried 7-0.

RESOLUTIONS

Mr. Greenwood read **Resolution No. 2015-CC** authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required for the Plantation Trail Culvert Replacement Project. A preliminary application has been prepared and will likely be funded for this project.

Mr. Greenwood made a motion to adopt Resolution No. 2015-CC. Mr. Martin seconded the motion. The Clerk called the roll: Mr. Greenwood, yes; Mr. Martin, yes; Mr. Edwards, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mr. Martin read **Resolution No. 2015-DD** adopting the 2015 Greene County Natural Hazard Mitigation Plan. This plan was recently revised by the Greene County Emergency Management Authority and is required for local governments in the County to receive federal aid in the event of a natural disaster. The complete plan is available on the Greene County Emergency Management Authority's website.

Mr. Martin made a motion to adopt Resolution No. 2015-DD. Mrs. Middlestetter seconded the motion. The Clerk called the roll: Mr. Martin, yes; Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion was carried 7-0.

Mrs. Seger-Lawson read **Resolution No. 2015-EE** confirming the Proposed Amendments to the Regional Planning and Coordinating Commission of Greene County Bylaws. The primary impact of these bylaw changes is to change the fee structure for Regional Planning. The City's annual fee to Regional Planning would increase from \$887 to \$1,736. Mrs. Seger-Lawson is the City's Representative to the Regional Planning Commission. She has attended most of the meetings and has not heard anything about changing the fee structure. She did say that an Executive Committee was formed which spoke directly to the County Commissioners. She would like to see the City receive associate member fees since the City does not use the services of the Regional Planning Commission often.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting
September 14, 2015

Mrs. Seger-Lawson made a motion to adopt Resolution No. 2015-EE. Mr. Schweller seconded the motion. The Clerk called the roll: Mrs. Seger-Lawson, no; Mr. Schweller, no; Mr. Edwards, no; Mr. Greenwood, no; Mr. Martin, no; Mrs. Middlestetter, no; Mayor Baird, no. The motion was declined 7-0.

CITY MANAGER REPORT

Mr. Schlagheck reported that the Fire Department open house is scheduled for Tuesday October 6th from 6:00 to 9:00pm at Station 2. The Open House coincides with Fire Prevention week.

Mr. Schlagheck also mentioned that during the week of October 12th, the City will be doing the annual hydrant flushing.

The resurfacing of North Main Street is complete. There is a traffic loop that needs to be completed on North Main Street at Franklin Street. There was an incident with a portion of the road collapsing close to the Museum due to a lack of a base. A dump truck nearly tipped over. The area was filled with asphalt and they were able to complete the paving.

Mr. Schlagheck reported that the annual paving program is complete. The street striping has begun and should be finished soon.

The Vemco/Firebird storm water project is set to start on October 7th. The contractor has ordered the materials. Residents will be notified in the next couple of weeks. The contractor said the project should take two weeks, but it could take a little longer. The plan is to have the project complete, including paving, before the asphalt plants close for the winter.

Mr. Schlagheck reported that the Bicentennial Committee has held several meetings. They are planning the events for the Bicentennial celebration in 2016. Mr. Schlagheck said a decision does not need to be made now, but Council needs to think about the City's financial contribution. Options include a contribution to the charitable foundation set up for the event or an in kind contribution such as banners. There is another meeting of the Bicentennial Committee scheduled for Monday September 21st.

The September 28th meeting will be cancelled, as Mr. Schlagheck will be at the City Managers Conference. Council will meet next on Monday, October 12th. Budget discussions will start at the October 26th meeting.

COMMITTEE REPORTS

Service: No report at this time.

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting
September 14, 2015

Safety: No report at this time.

Finance/Audit: Mr. Schweller reported that on September 2nd, he along with Mr. Edwards, Mr. Schlagheck and Don Buczek met with the Auditor of State's office for the post audit meeting. He reported that there were no irregularities with the audit. Mr. Schweller offered his best regards to the City Staff for doing a good job.

Community Affairs: Mrs. Middlestetter reported a garden will be dedicated in memory of Burma Fernandez on September 15 at Bellbrook High School. The community is invited.

NEW BUSINESS

Appointment of a new Clerk of Council-

A motion was made by Mrs. Middlestetter to appoint Jami Kinion as Clerk of Council, effective September 15, 2015. Mr. Edwards seconded the motion. The Clerk called the roll: Mrs. Middlestetter, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. Martin, yes; Mrs. Seger-Lawson, yes; Mr. Schweller, yes; Mayor Baird, yes. The motion carried 7-0.

OPEN DISCUSISON

Mr. Edwards wanted to congratulate the Beautification Award winners.

Mr. Greenwood commented over Labor Day weekend, he observed some Service Department workers fixing a water main break. He wanted to offer his appreciation to them.

Mrs. Segar- Lawson was asked why there is a no turn on red sign downtown at Franklin and Main St. coming from the High School. Mr. Schlagheck said this intersection has been talked about previously. Mr. Schlagheck said he would have the Police and Service Departments take a look at the intersection again.

Mr. Schweller also wanted to thank the Beautification award winners.

Mayor Baird thanked Eileen Minamyler for her services along with Louis. He also welcomed the new Clerk of Council.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 8:30 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2015-12

October 12, 2015

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2015-12

AN ORDINANCE APPROVING AN ADDENDUM TO THE SOLID WASTE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL CONTRACT WITH RUMPKE OF OHIO, INC.

WHEREAS, the City of Bellbrook participated in the 2012 Southwest Ohio Regional Refuse Consortium Invitation to Bid for the Collection, Transportation and Delivery for Disposal or Processing of Residential Solid Waste and Recyclable Materials; and

WHEREAS, the City entered into a contract with Rumpke of Ohio, Inc. for a three year period (January 1, 2013 to December 31, 2015), based on the results of this bid; and

WHEREAS, the City desires to extend the contract with Rumpke of Ohio, Inc. for a period of one year (January 1, 2016 to December 31, 2016) using the pricing established in the 2012 bid.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the contract addendum with Rumpke of Ohio, Inc. is hereby approved.

Section 2. That the City Manager is hereby authorized to execute the addendum which is attached hereto with Rumpke of Ohio, Inc. effective January 1, 2016 and to take such other action as required.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2015.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:
Patricia N. Campbell, Municipal Attorney

ADDENDUM

This document serves to add the following to the contract dated December 7, 2012 (the "Contract") between the City of Bellbrook, Ohio (the "City") and Rumpke of Ohio, Inc. (the "Contractor").

It is hereby agreed as follows:

Effective January 1, 2016 and continuing through December 31, 2016 Rumpke shall continue to provide weekly unlimited solid waste collection (including yardwaste and large items) and one (1) time per week curbside recycling collection for all residential units within the City of Bellbrook for the sum of \$12.03 per unit per month billed directly to the City of Bellbrook. The City's monthly invoice will also continue to reflect a charge of \$.83 per unit Generation Fee Adjustment Factor. All other services will be provided in accordance with rates quoted in Rumpke's October 31, 2012 bid proposal.

All other terms and conditions of the original contract dated October 31, 2012 shall remain unchanged.

The Contractor agrees to comply with all Federal, State and local laws and regulations in the collection, removal, and disposal of all such waste material. In the event that the Contractor incurs increased costs (such as, but not limited to, tipping fees, disposal fees, additional fuel costs, or new or increased surcharges, fees or taxes as a result of imposition of new governmental regulations not in effect at the time of acceptance of said contract and which regulate the type of material collected, the location for disposition of such material, or the payment of fees for disposing of such materials) then the City shall, after negotiation with Rumpke and approval by the City Council, adjust the unit cost by an amount commensurate with the increased per unit operating cost incurred by Rumpke.

In the event that either party is unable to perform any of its obligations under this contract or to enjoy any of its benefits because of (or if failure to perform the services is caused by) war, Acts of God, natural disaster (such as floods, earthquakes, tornadoes, hurricanes, blizzards, windstorms, high water table, unusually severe weather), fires, quarantine, labor disputes or strikes, explosion, shortage or failure in the supply of fuel, electric current or other public utility not caused by Contractor's actions, actions or decrees of governmental bodies not caused by Contractor's actions, or any other cause beyond the control of the parties (hereinafter referred to as a "Force Majeure Event"), the party who has been so affected shall immediately give notice to the other party. Upon receipt of notice, all obligations under this contract shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, either party may terminate this contract.

The term of this contract extension shall be for one (1) year effective January 1, 2016 and continuing through December 31, 2016. This contract may be renewed for one (1) additional one-year option period upon mutual written agreement of both parties.

CITY OF BELLBROOK, OHIO

RUMPKE OF OHIO, INC.

City Manager

William J. Rumpke, Jr., President

Witness

Witness

Date

Date

RECORD OF RESOLUTIONS

Resolution No. 2015-FF

October 12, 2015

City of Bellbrook

Resolution No. 2015-FF

A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2016; and,

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as attached hereto.

Section 3. That the Clerk of this Council be, and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Section 4. That this resolution shall take effect and be in force forthwith.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the City of Bellbrook _____, Greene _____
County, Ohio, met in _____ Session On the _____ day of _____,
(Regular or Special)
20 _____, at the office of _____ with, the following members
present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 20 _____; and

WHEREAS, The Budget Commission of Greene _____ County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the City of Bellbrook _____ Greene _____ County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

| FUND | Amount to Be Derived from Levies Outside 10 Mill Limitation | Amount Approved by Budget, Commission Inside 10 Mill Limitation | County Auditor's Estimate of Tax Rate to be Levied | |
|------------------------------|---|---|--|-----------------------|
| | | | Inside 10 Mill Limit | Outside 10 Mill Limit |
| | Column II | Column IV | V | VI |
| General Fund | \$205,000.00 | \$440,000.00 | 2.70 | 1.30 |
| General Bond Retirement Fund | | | | |
| Police Pension | | \$48,000.00 | 0.30 | |
| Park Fund | | | | |
| Recreation Fund | | | | |
| Police Protection Fund | \$1,466,000.00 | | | 9.30 |
| Fire Protection Fund | \$832,000.00 | | | 5.90 |
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| TOTAL | \$2,503,000.00 | \$488,000.00 | 3.00 | 16.50 |

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

| FUND | Maximum Rate Authorized to Be Levied | County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column 11) |
|---|--------------------------------------|---|
| General Fund: | | |
| Current expense levy authorized by voters on November 6 , 2012 | 1.30 | \$205,000.00 |
| for not to exceed Five (5) years. | | |
| Current expense levy authorized by voters on > | | |
| for not to exceed _____ years. | | |
| Total General Fund outside 10 m. Limitation. | 1.30 | \$205,000.00 |
| Park Fund: Levy authorized by voters on > | | |
| for not to exceed _____ years. | | |
| Recreation Fund: Levy authorized by voters on > | | |
| for not to exceed _____ years. | | |
| Police Protection Fund: Levy authorized by voters on November 7 , 2006 | 3.90 | \$620,000.00 |
| for not to exceed Indef. years. | | |

| | | | |
|-----------------------|---|-------|----------------|
| Police Protection | Fund: Levy authorized by voters on November 8, 2011 | 2.90 | \$476,000.00 |
| | , for not to exceed Indef. years. | | |
| Police Protection | Fund: Levy authorized by voters on November 4, 2003 | 2.50 | \$370,000.00 |
| | , for not to exceed Indef. years. | | |
| Fire Protection Fund: | Levy authorized by voters on November 3, 1998 | 3.90 | \$503,000.00 |
| | , for not to exceed Indef. years. | | |
| Fire Protection Fund: | Levy authorized by voters on May 5, 2009 | 2.00 | \$329,000.00 |
| | , for not to exceed Indef. years. | | |
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| TOTAL | | 16.50 | \$2,503,000.00 |

and. be it further
RESOLVED, That the Clerk of this Council be, and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. ,

Mr. ,

Mr. ,

Mr. ,

Mr. ,

Mr. ,

Mr. ,

Mr. ,

Adopted the ... day of ..., 20

Attest:

.....
 Clerk of Council

.....
 President of Council

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, Greene County, ss.

I, _____, Clerk of the Council of the City of
Bellbrook _____, within and for said County, and in whose
custody the Files and Records of said Council are required by the Laws of the State of
Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20 _____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals

No. _____

COUNCIL OF THE CITY OF

_____ County, Ohio.

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
(City Council)

Adopted _____ Year _____
Clerk _____

Filed _____ Year _____
County Auditor _____
By _____ Deputy _____